

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT TACOMA

TEENA GARCIA-RIMESTAD,

Plaintiff,

vs.

SAFEWAY, INC., an American
Corporation, and "DOES" 1 through X

Defendants.

No. 3:20-cv-6172

NOTICE OF REMOVAL TO
FEDERAL COURT

Please take notice that Defendant Safeway Inc. hereby removes to the United States District Court for the Western District of Washington the action described below. On August 13, 2020, Defendant Safeway Inc. was served with a summons (**Attachment 1**) and complaint (**Attachment 2**) in an action entitled *Teena Garcia-Rimestad v. Safeway, Inc. et al.*, Pierce County Superior Court No. 20-2-06702-0. The first date upon which Safeway Inc. received a copy of this complaint was August 13, 2020.

The complaint does not specify the amount of damages being claimed by the Plaintiff. On August 20, 2020, Safeway propounded a request for a statement of

NOTICE OF REMOVAL TO
FEDERAL COURT - 1

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Turner Kugler Law, PLLC

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1 damages and discovery requests which asked Plaintiff to disclose the damages Plaintiff
 2 is claiming in this matter. Plaintiff provided no answer to these requests until November
 3 23, 2020, after Safeway filed a motion to compel discovery, when Plaintiff provided
 4 answers to interrogatories which claimed past medical expenses in an amount greater
 5 than \$75,000.¹

6 There is complete diversity because the Plaintiff is a citizen of the State of
 7 Washington and Defendant Safeway Inc. is a corporation organized under the laws to the
 8 State of Delaware with its principle place of business in the State of California. The only
 9 other “defendants” are fictitious.

10 This court has original jurisdiction over this action pursuant to 28 U.S.C. §1332(a)
 11 because it is between citizens of different states and the amount in controversy exceeds
 12 \$75,000. This claim is removable to federal court by the defendant pursuant to 28 U.S.C.
 13 §1441 based on diversity jurisdiction.

14 A copy of the jury demand that was filed in state court is attached as
 15 **Attachment 3.**

16 INTRADISTRICT ASSIGNMENT

17 The case is currently pending in Pierce County so LCR 3(e) indicates it will be
 18 initially assigned to a Tacoma Judge.

19 A civil case cover sheet is attached as **Attachment 4.**

20 Dated: December 1, 2020.

21 TURNER KUGLER LAW, PLLC

22 By: s/ John T. Kugler
 23 John T. Kugler, WSBA # 19960
 24 Attorney for Defendant Safeway Inc.

25 ¹ Plaintiff has not provided a statement of damages or answers to interrogatories which identify the amount of general damages she is claiming in this matter.



CERTIFICATE OF SERVICE

I hereby certify that on December 1, 2020, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Attorney for Plaintiff:

Robert D. Lloyd
Law Offices of Greene & Lloyd, PLLC
4115 S. Meridian #B
Puyallup, WA 98373
rlloyd@yourwashingtonattorneys.com

and I hereby certify that I have mailed by United States Postal Service the document to the following non-CM/ECF participants:

none

s/ John T. Kugler

JOHN T. KUGLER, WSB #19960
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